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Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items. Requests to continue items scheduled for the afternoon session will be taken at 2:00 p.m.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Committee Item

ITEM-330: La Jolla Children's Pool Joint Use. (La Jolla Community Area. District-1.) (Cont. from August 10, 2004, Item 330.)
NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION: On 6/23/2004, NR&C voted 5 to 0 to forward to the full City Council with no recommendation.

Adoption Agenda, Discussion, Other Legislative Items

ITEM-331: First Implementation Agreement with Ken-Tal Senior Partner, L.P. for Development of Talmadge Senior Village Housing Project. (Ken-Tal Community Planning Area/City Heights Redevelopment Project Area. District-3.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-332: Proposed Additions and Deletion of Text to the Procedures for Formation of Project Area Committee (PAC) for Centre City Redevelopment Project. (Centre City Redevelopment Project. District-2.)
CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION: Adopt the resolution.

Noticed Hearings

ITEM-333: First Amendment to Redevelopment Plan for Southcrest Redevelopment Project. (Southeastern San Diego Community Area. District-4.)
SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION: Adopt the resolution.

=== LEGISLATIVE SCHEDULE (Continued) ===

Noticed Hearings (Continued)

ITEM-334: Two actions related to Disposition and Development Agreement Between Redevelopment Agency of the City of San Diego and Oak Shelter Systems, LLC, for Island Market Centre Project. (East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. District-2.)
CENTRE CITY DEVELOPMENT CORPORATION'S
RECOMMENDATION: Adopt the resolutions.

ITEM-335: Three actions related to Approval of Gaslamp Quarter Special Permit #2004-20 for Residence Inn by Marriott. (Gaslamp Quarter Sub Area of the Centre City Redevelopment Project. District-2.)
CENTRE CITY DEVELOPMENT CORPORATION'S
RECOMMENDATION: Adopt the resolutions.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS

**COMMITTEE ON NATURAL RESOURCES, AND CULTURE,
RESOLUTIONS:**

ITEM-330: La Jolla Children's Pool Joint Use.

(Continued from the meeting of August 10, 2004, Item 330, at the request of Councilmember Peters, due to lack of time.)

(See City Manager Report CMR-04-135; Meeting Guide submitted by James Hudnall and Gabriel Solmer; and Report from Martha Patricia Argomede Weisz dated 6/17/2004. La Jolla Community Area. District-1.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2005-112)

Authorizing the City Manager to:

- a) perform preliminary studies, initiate design and permit applications, and actions incidental to these functions, in order to comply with the accepted City Council recommendation, noting that this action does not constitute a decision to proceed with construction of the project as recommended, and does not foreclose the analysis of alternatives or mitigation measures that would ordinarily be a part of environmental or permit review for the Project;
- b) return to City Council with the appropriate environmental document for review and certification for approval in order to comply with the accepted recommendation for the Project; and
- c) take all necessary actions to seek, apply for, accept, and secure donations in order to comply with the accepted recommendation for the Project.

Authorizing the City Auditor and Comptroller to:

- a) establish a special interest-bearing fund for the La Jolla Children's Pool donations in reference to the Project;
- b) add CIP-29-872.0, La Jolla Children's Pool – Joint Use, to the Fiscal Year 2005 Capital Improvements Program for the Project;

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)

COMMITTEE ON NATURAL RESOURCES, AND CULTURE,
RESOLUTIONS: (Continued)

ITEM-330: (Continued)

- c) increase the Fiscal Year 2005 Capital Improvement Program budget in CIP-29-872.0, La Jolla Children's Pool – Joint Use, up to the amount received for the Project; and
- d) appropriate and expend donations, if secured, up to the amounts secured for purposes of design initiation, environmental documents, permit applications, and actions incidental to these functions in order to comply with the accepted recommendation from CIP-29-872.0, La Jolla Children's Pool – Joint Use, provided that the City Auditor and Comptroller first furnishes a certificate certifying that the funds are, or will be, on deposit with the City Treasurer.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 6/23/2004, NR&C voted 5 to 0 to forward to the full City Council with no recommendation. (Councilmembers Zucchet, Lewis, Frye, Madaffer, and Inzunza voted yea.)

SUPPORTING INFORMATION:

On April 1, 2003, the Mayor and City Council directed the City Manager to return to the Natural Resource and Cultural Committee (NR&C) this year with a strategy to do the following: "In compliance with Federal Law, to reduce pollution levels in the sand and to return the Children's Pool to recreational use for children, including accessible uses, thus restoring this area to the joint use of seals, divers, fishermen, children and their families." A report was given before the NR&C on June 23, 2004. The NR&C voted unanimously to refer the matter to the full City Council.

The Manager's Report # 04-135 was presented to the NR&C. A strike out/underlined version is provided with the only changes being correcting a typographical error for the Technical Advisory Committee members; a clarification of the proximity of the Children's Pool to the La Jolla Underwater Park; and, a clarification that Ellen Browning Scripps contracted with the builder of the breakwater as opposed to the City of San Diego. Otherwise, the content, information and recommendations remain unchanged. The City Council is being requested to approve initiation of the design of a seasonal joint use recommendation provided by the City Manager. Since funds, permits and environmental review are required, this action does not constitute a decision to proceed with construction of the project, nor does it foreclose analysis of alternatives or mitigation measures that would ordinarily be part of environmental or permit review. In addition, upon full review of: a) any permit conditions (if any), b) a completed environmental document, and c) the construction documents, City Council action will be required to authorize the construction project.

ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS (Continued)

COMMITTEE ON NATURAL RESOURCES, AND CULTURE,
RESOLUTIONS: (Continued)

ITEM-330: (Continued)

FISCAL IMPACT:

1. The estimated cost to dredge the Children's Pool ranges between \$250,000 and \$500,000. This cost includes construction documents, permits, environmental, administration, and construction.
2. The cost to provide testing per year is \$3,000. This cost may potentially be borne by the County Environmental Health Department.
3. The cost to rework the soil on a yearly basis per the County Environmental Health Department's non-advisory status is \$5,000 per year.
4. The cost to provide dredging every three to five years, budgeted on a yearly basis is \$50,000.
5. The cost for a limited full time ranger position with associated non personnel expense to provide education interpretation of the area and manage the mixed use of the site is \$75,000 per year.

Herring/Oppenheim/AP

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-331: First Implementation Agreement with Ken-Tal Senior Partner, L.P. for Development of Talmadge Senior Village Housing Project.

(See Redevelopment Agency Report RA-04-33/CMR-04-194. Ken-Tal Community Planning Area/City Heights Redevelopment Project Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-245)

Authorizing the use of Housing Set-aside Funds in an amount not to exceed One Million One Hundred Ninety Thousand Five Hundred Seventy Six (\$1,190,576) from the Centre City Redevelopment Project to be used outside the Centre City Redevelopment Project Area for the Talmadge Senior Village Project within the City Heights Redevelopment Project Area;

Finding and determining that the use of Housing Set-aside funds from the Centre City Redevelopment Project is of benefit to the Redevelopment Project;

Adopting the Findings of Benefit to the Centre City Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of 9/14/2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-332: Proposed Additions and Deletion of Text to the Procedures for Formation of Project Area Committee (PAC) for Centre City Redevelopment Project.

(See Centre City Development Corporation Report CCDC-04-20. Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-237)

Changing Article C, Section (§603), Point 1 of the Procedures of a PAC to state "Charitable Organizations-501c(3) organizations that have as their primary mission the provision of support services within the Project Area such as shelter, food, and clothing, counseling and medical assistance".

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

ITEM-333: First Amendment to Redevelopment Plan for Southcrest Redevelopment Project.

(See Southeastern Economic Development Corporation Report SEDC-04-009.
Southeastern San Diego Community Area. District-4.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S
RECOMMENDATION:**

Adopt the following resolution:

(R-2005-220)

Consenting to a joint public hearing with the Redevelopment Agency on the proposed First Amendment to the Redevelopment Plan for the Southcrest Redevelopment Project; authorizing the establishment of a date, time, and place for the hearing; and authorizing publication and mailing of notice of the joint public hearing.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of September 14, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-334: Two actions related to Disposition and Development Agreement Between Redevelopment Agency of the City of San Diego and Oak Shelter Systems, LLC, for Island Market Centre Project.

(See Centre City Development Corporation Report CCDC-04-33/CCDC-04-18. East Village Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-236)

Approving sale of certain property located generally on the full block bounded by 13th, 14th and Market Streets and Island Avenue in the East Village Redevelopment District of the Expansion Sub Area in the Centre City Redevelopment Project Area to Oak Shelter Systems, LLC; approving the Disposition and Development Agreement pertaining thereto; and making certain findings with respect to such sale.

Subitem-B: (R-2005-238)

Certifying that the City Council has reviewed and considered information contained in the Master Environmental Impact Report for the Centre City Redevelopment Project, the Subsequent Environmental Impact Report to the MEIR for the Proposed Ballpark and Ancillary Development Projects, and Associated Plan Amendments, and the Secondary Study with respect to the Proposed Disposition and Development Agreement between the Redevelopment Agency of the City of San Diego and Oak Shelter Systems, LLC; and making certain findings and determinations regarding environmental impacts of the development pursuant thereto.

NOTE: This is a Special Joint Public Hearing with the Redevelopment Agency. See the Redevelopment Agency Agenda of September 14, 2004 for a companion item.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARINGS: (Continued)

ITEM-335: Three actions related to Approval of Gaslamp Quarter Special Permit #2004-20 for Residence Inn by Marriott.

(See Centre City Development Corporation Report CCDC-04-19. Gaslamp Quarter Sub Area of the Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-240)

Approving Gaslamp Quarter Special Permit No. 2004-20 for the Residence Inn by Marriott Project within the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project.

Subitem-B: (R-2005-241)

Approving a height exception of up to 125 feet for the Residence Inn by Marriott Project within the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project.

Subitem-C: (R-2005-239)

Certifying that the Council has reviewed and considered information contained in the Master Environmental Impact Report and the Final Subsequent Environmental Impact Report for the Centre City Redevelopment Project and the Secondary Study with respect to Gaslamp Quarter Special Permit No. 2004-20 (Residence Inn by Marriott) and making certain findings and determinations regarding environmental impact of the development pursuant thereto.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT